

## **DOSSIER**

### **“The Barcelona Process: a Union for the Mediterranean”**

**Centro de Estudios Sociales y Jurídicos “Sur de Europa” 2008**

(A cargo de Antonio-Martín Porras Gómez)

#### **1. Social and historical background**

The Mediterranean basin constitutes a geographical area in which identity conflicts are present and inequalities are evident. With the end of the Cold War, Europe reoriented its strategic landscape towards the Mediterranean as a result of several factors. First of all, the geostrategic challenges didn't come from the East anymore, now the illegal immigration, fundamentalism and terrorism were a mounting risk, and constituted a greater threat than the soviet nukes. Secondly, from the 50s to the 90s Europe had dedicated most of its energies to consolidate a common internal market. In the 90s, with an internal market more or less consolidated (from an economic, not legal, perspective), internal trade creation was less intense, and it is then when Europe begins to put more emphasis on the exterior to sign international trade agreements. And third, with the Madrid Conference in 1991 and the later Oslo Accords in 1993, it was created a favorable climate for the settlement of the Israel-Palestine conflict and to the peace in the Mediterranean.

Thus the historical reasons that led in 1995 to design a forum for international consultation and cooperation were precisely to bring peace and stability to the southern Mediterranean, to expand the trade between Europe and its southern neighbors and to build on the Oslo Process to bring about a lasting peace to the Mediterranean.

#### **2. The Barcelona Process**

##### *2.1. The Institutional framework.*

In accordance with the guidelines laid down by the European Council at its meetings held in Lisbon (June 1992), Corfu (June 1994) and Essen (December 1994), the European Union decided to draw up a framework for relations with the countries of the Mediterranean basin with a view to establishing a Partnership.

*The Euro-Mediterranean Partnership of the Barcelona Process has constituted the central framework for relations between the EU and its Southern Mediterranean partners from 1995 to date. The Barcelona Conference (27–28 November 1995) launched the Barcelona Process or the Euro-Mediterranean Partnership. The Barcelona Process currently includes all EU Member States, Turkey, Algeria, Morocco, Tunisia,*

Egypt, Syria, Israel, Jordan, Lebanon and the Palestinian Authority; Albania and Mauritania joined at the beginning of November 2007. Libya has had observer status since 1999.

The Declaration of Barcelona is the constitutional document of the Barcelona Process, and it envisages a loose institutional framework (a forum) in order to develop policies of common interest for Europe and the Mediterranean countries.

The document of the Barcelona declaration didn't create any legal entity. It is rather a political agreement for conducting "a strengthened political dialogue at regular intervals" (<sup>1</sup>), creating a partnership, a forum for intergovernmental cooperation. It is a political declaration without direct legal value (although, according to the International Law, it can be used for interpreting other treaties with international legal value).

The signing countries agreed on developing policies grouped around 3 chapters:

1. Economic and financial: with the main objective of a free-trade area for 2010 and an increased financial cooperation (that is, greater development aid flows from Europe to southern Mediterranean).
2. Social, cultural and human affairs: Developing human resources, promoting understanding between cultures and exchanges between civil societies, in order to overcome the multiple identity conflicts.
3. Political and security: develop the rule of law and democracy, and respect on human rights. Agreement on a declaration of principles that reflects wide objectives of respect of international law, demilitarization and confidence-building measures, and the settlement of the Palestine-Israel conflict.

In addition to these 3 chapters, in 2005 it was agreed to create a new additional chapter on migration, justice and security (which resembles the third communitarian pillar). The intention of the Barcelona Declaration was to go beyond a diplomatic conference. According to this, signing countries established a loose institutional framework to further develop and follow-up the conference:

1. The Ministers of Foreign Affairs would meet periodically (later practice established a normal periodicity of 2 years) in order to give political impetus, monitor the application of the Barcelona Declaration and defining new actions to fulfill the objectives set. Each of these meetings involves delegations of all the EU member states, delegations from the partner states from the Mediterranean and the European Commission.

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<sup>1</sup> Miguel Ángel Moratinos, *Revista Diálogo Mediterráneo*, "El Proceso de Barcelona".

2. Thematic meetings of ministers, senior officials and experts, without a determined regularity.
3. A “Euro-Mediterranean Committee for the Barcelona process”, at senior-official level, holding regular meetings to prepare the meeting of the Ministers of Foreign Affairs, taking stock of and following up the Barcelona process and updating the work program. *It is the main steering body* and is made up of officials from the EU Member States, the Commission and the Mediterranean partners; it meets in Brussels on average three times every 6 months (during each European Council Presidency). The committee is chaired by the European Council Presidency.
4. Contacts between parliamentarians and contacts at the civil society level. This provision for contacts between parliamentarians became institutionalized in 2004, with the creation of the Euro-Mediterranean Parliamentary Assembly (EMPA). It is composed of 240 members (120 from the European Union (75 from the national parliaments of the EU Member States and 45 from the European Parliament) and 120 from the Mediterranean partner countries). The EMPA is a consultative body; it adopts resolutions which are recommendations of the Barcelona Process. The first session of the EMPA was held in March 2005 in Cairo. An extraordinary session took place in Rabat in November 2005 to celebrate the tenth anniversary of the Euromed Partnership. The second session of EMPA met in Brussels in March 2006 and the third was held in Tunis in March 2007.

In 2005 there was a major overhaul of the Euro-Mediterranean Partnership in order to provide a much-needed political boost. The Summit marking the 10<sup>th</sup> anniversary of the Barcelona Process held in Barcelona on 27 and 28 November 2005 focused on the adoption of concrete decisions which were to lead to further development and strengthening of the Euro-Mediterranean Partnership. It was added a new basket on migration, justice and security, and two documents were adopted: a Five Year Work Program and the Code of Conduct on Countering Terrorism.

Deriving from the Five Year Work Program (until 2010), foreign ministers agreed to hold regular meetings at the end of every year to examine the work done in the past year and adopt a program of activities for the following year. At the last conference of foreign ministers in Lisbon, Portugal, on 5 and 6 November 2007, the document “Lisbon Conclusions” was adopted, representing the program of activities for 2008.

## *2.2. The overlapping with other frameworks: the European Neighborhood Policy (ENP)*

With the 2004 and 2007 enlargements, countries that before remained relatively far away from the EU, became neighboring countries. This brought nearer instable countries, and posed new challenges to the European security. This was already foreseen in the 2003 European Security Strategy, which adopted an approach to the

security challenges of the EU through the soft power. Thus, the security challenges were to be dealt with via the reduction of disparities with the neighbors while at the same time promoting good governance. According to this security need, the Process of Barcelona became the main instrument to secure stability in the Mediterranean basin.

The second factor to be considered was the debate over the geographic limits of the European Union. Prodi developed the idea of “all but institutions” to deal with those neighboring regions that were not considered as a possible part of the European Union but which had aspirations to take advantage of the European Integration (like Morocco, who applied the EU membership in 1987).

The ENP became definitely set in the document strategy of 2004 “The European Neighborhood Policy”. There are 3 principles inspiring the ENP:

1. The 4 liberties. It is about expanding the common market to the neighbors, with the liberties of free movement of capital, labor, goods, and services. This is an ideal goal to which progress, but in reality the liberty of movement of labor is excluded.
2. Differentiated approach per country: through the Neighbor Action Plans
3. The conditionality principle: Both the extension of the 4 liberties to the neighbor countries and the programs envisaged by the Neighbor Action Plans are conditioned to the progress in the political, economic and values field (a set of goals that resembles the Copenhagen criteria for European membership), in order to bring about stability. The progress on these grounds is to be thoroughly monitored through specific indicators.

The ENP operates through the European Neighborhood and Partnership Instrument (ENPI), which reduces the complexity of the previous European financial framework grouping together the previous MEDA and TACIS programs (covering respectively the Mediterranean and the former soviet countries), as well as the INTERREG and CARDS programs. And here is when it appears the first overlap, because MEDA program was the specific instrument providing the technical and financial support foreseen in the Barcelona Process to accompany the reform of economic and social structures in the Mediterranean partner countries. So now the programs supporting measures of the Barcelona Process will be part of the European Neighborhood Policy. The second overlap is between the Euro-Mediterranean Association Agreements (that envisages free trade in exchange of political progress) and the Neighbor Action Plans (which foresees access to the European market and financial aids in exchange of political progress).

The overlap ENP-Process of Barcelona was somewhat already envisaged in the work program annexed to the Barcelona Declaration, where it says that “It is complementary

to the bilateral cooperation, implemented in particular under the agreements between the EU and its Mediterranean partners". It is also explicitly dealt with by the Commission's proposal of 20<sup>th</sup> of May 2008, saying that the Barcelona Process: Union for the Mediterranean "will be complementary to EU bilateral relations with these countries which will continue under existing policy frameworks such as the European Neighborhood Policy".

How to understand this overlap? Commissioner Ferrero-Waldner (<sup>2</sup>) considers that the ENP would complement the Barcelona Process by reinforcing the bilateral relations. This reinforcement comes from two sides: first, the ENP offers to the Mediterranean countries the possibility of full participation in the common market (it's not just a bid for free trade agreements as envisaged in the Barcelona Process); second, the political content is more intense through the conditionality principle and a greater monitoring of political progress through specific indicators. Thus, the ENP presents just a bilateral dimension, and through the European Neighborhood Policy Instrument will be channeled the financial aid Europe-Mediterranean countries in the framework of the Barcelona Process.

Notwithstanding this, some consider (<sup>3</sup>) that the ENP, with its bilateral approach, risks of giving a unilateral slant to the relationship North-South, destroying the spirit of Partnership on which the new "Process of Barcelona: Union for the Mediterranean" tries to build. There also remain the fears that the use of the same program for the Mediterranean and the former soviet countries will entail a reduction of the funds earmarked to the Mediterranean.

### *2.3. The Acquis of the Barcelona Process*

Departing from the principles and objectives enunciated in the Barcelona Declaration, the actors envisaged in its institutional framework have been developing from 1995 to the present a series of policies and instruments, progressively creating an acquis. This acquis has been produced through the 6 Meetings of Foreign Affairs Ministers that have been held, and the different thematic meetings of ministers: 2 of culture, 4 of Industry, 1 on Information Society, 4 on Energy, 2 on Environment, 2 on Water Management, 1 on Health, 3 on Trade and 1 on Agriculture. Besides these Ministerial meetings there have been created several fora for experts meetings on Transports, Water and Energy.

#### 1) Specific achievements in the economic basket.

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<sup>2</sup> Benita Ferrero-Waldner, European Commissioner for External Relations and European Neighbourhood Policy, "The European Neighbourhood Policy: bringing our neighbours closer", in "Giving the Neighbours a stake in the EU internal market", 10<sup>th</sup> Euro-Mediterranean Economic Transition Conference, Brussels, 6 June 2006.

<sup>3</sup> Red EuroMeSCo de institutos de política exterior mediterránea, abril de 2005, "*Barcelona Plus: Towards a Euro-Mediterranean Community of Democratic States*", abril de 2005).

The horizon of having an area of free trade by 2010, although it has not been achieved, has led to the signature of 9 Euro-Mediterranean Association Agreements (with all the Mediterranean countries except Syria). These association agreements came to be reinforced since 2003 with the Action Plans of the European Neighborhood Policy (with Jordan, Tunis, Morocco, Palestine, Israel, Egypt and Lebanon). The Euro-Mediterranean Association Agreements have contributed to increase the trade between the EU and the Mediterranean. Thus, exports from the southern Mediterranean countries to Europe have progressed at an annual rate of 7,2%, against 4,2% with the rest of the world. Beyond liberalizing exchanges, these association agreements have helped to harmonize investment and trade legislation. It's worthwhile to mention that these free trade schemes have been implemented following the principle of special treatment to the southern Mediterranean countries, under which these countries have since the beginning free access for exporting industrial goods to the EU, while they are dismantling progressively their tariffs on imports of EU industrial goods. There's also been created in the economic chapter a forum for enterprise contacts (ASCAME), at the civil society level. Another innovation was the promotion of the South-South trade, consolidated with the signature of the Agadir Agreement providing for free trade between Morocco, Tunis, Jordan and Egypt.

On the financial side, the financial flows from the EU to the other Mediterranean countries have been channeled through 2 different instruments: the MEDA program (this being a non-conditioned aid), which came to be replaced under the 2007-2013 financial perspectives by the European Neighborhood Partnership Instrument; and the loans given by the European Investment Bank (which in 2003 created an instrument specialized in the Mediterranean: the Facility for the Mediterranean Investment and Partnership, FEMIP). Another source of financial instruments has been the bilateral contributions provided by single states in a voluntarily basis.

A major failure of the Barcelona Process is precisely the little level of achievement on the progress towards a consistent free trade area for 2010. The point is that services and agriculture, accounting for two-thirds of the GDP are only now being included in the Euro-Mediterranean Free Trade Area (only at the Ministerial Conference of Luxemburg 2005 the Commission began to present projects for liberalization of agriculture and services). Furthermore, there has not been a solid South-South integration due to the geopolitical rivalries and struggles among southern Mediterranean countries, and despite the signing of the Agadir Agreement in 2004 providing free trade between Morocco, Tunisia, Jordan and Egypt (particular importance has had the closure of the border between Algeria and Morocco).

Notwithstanding these mentioned initiatives, and despite the improvements in the human development indicators, the gap between southern and northern Mediterranean has widened from 1995 to date, result of the insufficient economic growth linked to continued demographic expansion and high illiteracy rates.

## 2) Achievements in the sociocultural basket.

In the education field, the financial instruments have tried to push for improvement in education standards as one of the main targets of the funding.

Since 1995, 7 civil forums have taken place. Particular importance has had the Euro-Mediterranean forum of trade unions for encouraging social dialogue, and the civil social forum created in 2005 as a Euro-Mediterranean platform for non-governmental dialogue.

The most substantive initiative has been the Foundation Anna Lindh, created at the Naples Conference in 2003 for intercultural dialogue, located in Alexandria and supported by national networks of Mediterranean institutions, and which is the only institution of the partnership that has a legal personality.

## 3) Achievements in the political and security basket.

The aforementioned Euro-Mediterranean Association Agreements signed with all the Mediterranean partners except with Syria, in addition to free trade commitments, include human rights and democracy clauses providing for regular meetings to raise issues of concern at ministerial and official level. The EU has adopted the preservation of short-term stability as the priority in its political approach towards southern Mediterranean countries, and the intention to bring about political changes and to develop a democracy-promotion strategy has been overshadowed by the most urging need of creating stability. The reason to this is that the original intention of the Barcelona Process was to create stability, not to promote political reform. Democracy-promotion has relied on indirect and softer methods such as the cross-cultural dialogue carried out in the sociocultural chapter, in order to avoid a direct confrontation with the regimes in the region <sup>(4)</sup>. There's been here differing interests within EU member states, since southern Europe countries were more concerned on illegal immigration and instability, while northern European countries were the ones who pushed more for the exigency of democratic changes. Particularly active in this field has been the European Parliament invoking the resort of the conditionality principle, although with little success: the European Union has not resorted the conditionality mechanisms to unleash democratic change except in one case in Tunisia, with the MEDA aid reduced because of its human rights record (the Tunisian government obstructed the European Union's work with a Tunisian human rights group). Particular significance has had the Code of conduct against terrorism adopted in 2005, political declaration in which the countries state their commitment to strengthen cooperation and to fight against terrorism.

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<sup>4</sup> Mona Yoroubian, "Promoting Middle East Democracy: European Initiatives", United States Institute for peace, [www.usip.org](http://www.usip.org).

The Palestine-Israel conflict has been dealt with in this basket mainly through the financial support to the Palestinian Authority (1,5 billion € in MEDA funds), trying to encourage cross border projects for cooperation between Palestine and Israel (in subjects like education and environment). One of the main difficulties that the Barcelona Process has had to face has been the Palestine-Israel conflict. The Barcelona Process tried to get together all the countries of the southern Mediterranean in a common partnership, including Israel. This intention was valid in the geopolitical context of 1995, when there was confidence in a possible settlement of the Palestine-Israel conflict via the Oslo Agreements. However, the failure of the Peace Process has constituted a major hindrance, since many Arab countries have renounced to cooperate with a political forum in which Israel was present (i.e, Libya). This has prompted many countries to not to attend Ministerial Conferences, rejecting conclusions adopted in the meetings, and in general, a lack of cooperation. Thus, one of the major drawbacks of the Barcelona Process, the lack of parity between Europe and the Mediterranean (the whole EU negotiating bilaterally with every single Mediterranean country) was due to the fact of Mediterranean countries rejecting to gather around a common body for negotiating, and the reason to this was the presence of Israel.

### **3. A Union for the Mediterranean: the proposal**

#### *3.1. Genesis and development of the idea*

The idea of a Union for the Mediterranean begins within a context of political competition in France for the 2007 presidential elections. Sarkozy originally advanced an idea of a “Union of the Mediterranean” in an election press conference on 6<sup>th</sup> May 2007. Once elected president, he developed the idea further in his visit to northern African countries (speech in Tangier 23<sup>rd</sup> October 2007). The original idea was a union of the Mediterranean, that is, a “political, economic and cultural union” according to which just the coastal states of the Mediterranean would be members (<sup>5</sup>).

France considered that overall there were major deficits of the Barcelona Process: the lack of institutional balance between the weight of the EU on one side and the Mediterranean partners on the other, and its weak visibility and perception by citizens that little is done to tackle their daily problems. The French initiative focused on giving a solution to these two deficits, but as Balfour and Schmid state (<sup>6</sup>), behind the French proposal was a bid to reassert French influence in the EU (taken a singular initiative), as well as in North Africa and the Middle East, and to try to shift Turkey from candidate for EU accession to member of a looser framework for regional cooperation.

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<sup>5</sup> [http://www.elysee.fr/documents/index.php?lang=fr&mode=view&cat\\_id=7&press\\_id=572](http://www.elysee.fr/documents/index.php?lang=fr&mode=view&cat_id=7&press_id=572)

<sup>6</sup> Rosa Balfour and Dorotée Schmid, “Union for the Mediterranean, disunity for the EU?”, European Policy Centre, Policy Brief February 2008.

The first serious multilateral formalization of this idea was the “appel de Rome”, on 20<sup>th</sup> December 2007, signed by the Heads of Government of Italy, Spain and France, in which it was agreed the convening of a Conference for 13 and 14<sup>th</sup> July in Paris under the French presidency of the European Council. In this pronouncement began to take shape the idea of building on and not scrapping what it had been already achieved with the Process of Barcelona.

The proposal of a political union restricted to the Mediterranean countries encountered criticism from different actors. First of all, Turkey rejected the idea that this might be considered an alternative to acceding the European Union (as initially had been suggested in the French presidential campaign). From Germany, Merkel rejected the idea of restriction to the Mediterranean coastal states, arguing that this could lead to a situation of tension with Germany drawn to Eastern Europe and France to the Mediterranean (speech of Angela Merkel on 5<sup>th</sup> November 2007). And eventually, the European Council stated through its Slovenian presidency on 17<sup>th</sup> January 2008 the rejection to a possible “duplication of institutions that would compete with EU institutions”.

Regarding these critics, the French diplomacy argued that the Council of the Baltic Sea States is already a political fore in which EU and non-EU countries participate on the same footing. However, this forum is open to the participation of non-Baltic states as observers, and it has a technical rather than a political content (as it is also the case the Council of the Barents Sea and the council of the Black Sea, both with participation of EU member states too). This question of the technical content seems decisive, since it permits a representation in these fora of the whole EU through the European Commission: it is easier to get consensus on technical issues than in political issues, and thus the individual member states can delegate in the European Commission as representative of the EU general interest. Yet, the Union for the Mediterranean also has a strong political character and EU member states do not conform with the Commission as a valid representative in these political issues, and consider that they have to be directly represented in the fore with political power as EU member states. Furthermore, some policies envisaged by the Mediterranean Union, as it is the case of the migration policies, are purely European Union policies, like migration or the free trade agreements signed with the southern Mediterranean countries, which require the involvement of the whole EU since this is part of the EU’s exclusive competences.

It was in the European Council of March 13-14 when the French position of a Mediterranean Union with a great political content and excluding the non-riparian countries collided with the German position requiring the full involvement of all the EU member states with the European Commission at the very core of the Project (and this was very motivated by the reluctance of Germany of taking away funding from Eastern Europe to give it to the Mediterranean). The result of this collision was the victory of the German views, helped by two factors: the increasing weight of the Eastern Europe

Countries over the southern Europe countries since the last enlargements, and the low popularity level of Sarkozy in France, that made him to be in a defensive position. The EU agreed that the Union for the Mediterranean would answer more to the cooperation logic rather than to an integration logic.

On the other hand, the Mediterranean states themselves didn't want to see the acquis achieved with the Barcelona process scrapped, and vied for the complementariness of the new project with the existing Euro-Mediterranean Partnership.

Given these negative reactions to the Sarkozy's project, France scaled down its first vision. Thus, from a Union *of* the Mediterranean it shifted to a Union *for* the Mediterranean (downgrading its symbolic content). It seems like the French diplomacy had begun "seeking consensus *ex post* on an idea that it did not discuss in advance with potential partners but now cannot afford to either drop or pursue in isolation" (Balfour and Schmid).

### *3.2. The Commission's proposal. What's new?*

The Commission adopted on May 20<sup>th</sup> a concrete outline proposal for an upgraded institutional framework called "Barcelona Process: Union for the Mediterranean". This proposal responded to the request of the European Council of 13/14<sup>th</sup> March, which approved the principle of a Union for the Mediterranean. It builds on the Barcelona Declaration, remaining valid its goals and cooperation areas. What it basically does is to extend and enhance the political level of the institutional framework. The Commission proposal adds to the existing institutional structures of the Barcelona Declaration, complementing it in certain points. Not only the Barcelona Declaration remains, but also the 5-year work program adopted by the 2005 Barcelona Summit and the Annual work program adopted by Foreign Affairs Ministers in Lisbon in 2007 and all the other political conclusions of the thematic ministerial meetings taken in the Euro-Mediterranean fora.

The main goals of the Commission proposal are on one hand to overcome the major flaws of the Barcelona process: the lack of co-ownership of the process and the little visibility to the citizens, and on the other hand, to upgrade the political level of the EU's relationship with its Mediterranean partners. There's also the intention to give this process a more geographic consistency inviting other Mediterranean states like Croatia, Bosnia and Herzegovina, Montenegro and Monaco, which until now were not partners of the Barcelona Process.

With respect to the upgrading of relations, the proposal foresees biennial summits of Heads of Government which will be held alternately in the EU and in Mediterranean partner countries. There's also a change in the issue of the annual Foreign Affairs ministerial meetings: in the 1995 Barcelona Declaration the periodicity of these ministerial meetings wasn't explicitly stated.

Concerning the increased co-ownership, it envisages the establishment of a co-Presidency, a Joint Permanent Committee and a joint secretariat. The purpose of the co-Presidency, besides giving a greater media projection, will be to manage the summits of Heads of Government. The countries holding the co-Presidency for a given year should host the summits of the “Barcelona Process: Union for the Mediterranean”.

The Joint Permanent Committee will give a permanent nature to the intergovernmental dimension. According to this, the Joint Permanent Committee shall be composed of the permanent representatives from the respective missions in Brussels. This Committee would prepare the meetings of the Senior Officials and Euro-Mediterranean Committee, and would also assist the co-presidencies in the preparation of the Summits of Heads of Government as well as the meetings of Foreign Affairs and thematic meetings. The Permanent Committee would also react rapidly if a crisis situation arises.

While the Joint Permanent Committee will be the political steering body, the joint secretariat will be the technical steering body, and it is foreseen to promote and follow up the projects and to make initiatives. The Secretariat would have a separate legal personality, giving a legal *locus standi* to the Process. A tricky issue would be the decision of the location of its headquarters. The funding of this body would be given by the corresponding member states of the officials working there. The rest of the institutional framework is left more or less similar, with the only provision of upgrading the status of the current Euro-Mediterranean Parliamentary Assembly.

Projects are at the heart of the proposal, which responds to a functionalist perspective and to the intention of bringing the institutions closer to the citizens. The funding of these projects will introduce a novelty: besides the already existing resources coming from the European Investment Bank (through the Euro-Mediterranean Investment and Partnership Facility: FEMIP) and the ENPI, the Commission proposal also lists other actors that would fund small ad hoc projects, such as international financial institutions (like the World Bank), bilateral cooperation from the EU member states or even private sector participation (the possibility of public-private partnerships seems an innovation in which France has put the emphasis, but its empirical value remains an unknown). This economist perspective responds to the need to deal with the problem of immigration.

#### **4. Conclusions and prospects**

The Commission proposal will be debated in the last European Council under the Slovenian Presidency to be held on June 19<sup>th</sup>-20<sup>th</sup>. The proposals contained in the Commission’s communication will be presented at the inaugural summit of the “Barcelona Process: Union for the Mediterranean” in Paris on 13<sup>th</sup> July 2008. This summit of Heads of Government should take the formal decision to launch the “Barcelona Process: Union for the Mediterranean” and establish its final structure, functioning and main goals. The conclusions of the summit should also include a political declaration and a short list of concrete regional projects to be set in motion.

Regarding this summit, Sarkozy has also raised controversy planning that only the relevant EU states would be invited, the rest of the EU states to be invited on 14 July to sign off the deal (<sup>7</sup>).

A possible problem that this “Barcelona Process: Union for Mediterranean” can face is the difficulties caused by bureaucracy and complexity: the overlapping financial instruments and actors, and the multiplication of political and administrative bodies can lead to a greater paralysis of the institutional dynamic. New countries of the Adriatic Sea will be invited (Croatia, Bosnia and Herzegovina and Montenegro: Balkan states that are engaged in implementing or negotiating specific Stabilization and Association Agreements).

The project emphasis will mean that the development perspective will constitute most of the core of this new Process. It will be an innovative perspective, involving a greater interaction North-South. Regarding to this, Alain Le Roy (<sup>8</sup>) confirmed that the Process of Barcelona was too much focused on handing over financial aid, while in this new phase France wanted it to be more focused on projects, thus giving more co-ownership and a less paternalistic slant. However, this focus on projects could lead to a possible scenario with the economist emphasis overshadowing the intentions to improve indicators of human rights, democracy and rule of law.

The centralization of the European Presidency with the Treaty of Lisbon will end up with the copresidency residing in Brussels. So half of the time it would be in Brussels, half of the time it will be itinerant around the southern Mediterranean countries. This, along with the composition of the Joint Permanent Committee by the representatives in Brussels will lead to the fact that Brussels will become the capital of this fore, which gives little favor to the intention of increasing the co-ownership of the Process.

Finally, it will remain the problems posed by the status of the Middle East peace process and other conflicts that has been embittering the relationships. To this respect, the threat of Libya of no participating to the Conference of the 13<sup>th</sup> July due to the presence of Israel (<sup>9</sup>), seems to be a crude reminder of the past difficulties projected to the future. But notwithstanding all these challenges, or maybe precisely because of them, the “Barcelona Process: A Union for the Mediterranean” will continue to be one of the principal means of the EU to exercise its soft power in the international arena.

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<sup>7</sup> Mahony, Honor ([2008-02-25](#)) Franco-German summit postponed amidst speculation of rift, EU Observer.

<sup>8</sup>Alain Le Roy, ambassadeur en charge du projet d'Union pour la Méditerranée, « L'Union pour la Méditerranée vue de l'intérieur » *Article paru dans Le Quotidien d'Oran le mardi 22 avril 2008 par Hichem Ben Yaïche.*

<sup>9</sup> *Le Monde*, Paris, 3 mai 2008.

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## **COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL**

Brussels, 20/05/08  
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### **Barcelona Process: Union for the Mediterranean**

1. All of the EU's Mediterranean partners have close historical and cultural links with Europe. The Euro-Mediterranean Partnership has provided a means to address many strategic regional questions relating to security, environmental protection, the management of maritime resources, economic relations through trade in goods, services and investment, energy supplies (producing and transit countries), transport, migratory flows (origin and transit), regulatory convergence, cultural and religious diversity and mutual understanding. However, the centrality of the Mediterranean for Europe, the importance of our links, the depth of our cultural and historical relations and the urgency of the strategic common challenges we face, needs to be revisited and given greater political prominence.

2. The European Council of 13/14 March 2008 approved the principle of a Union for the Mediterranean and invited the Commission to present proposals defining the modalities of what will be called "Barcelona Process: Union for the Mediterranean".

3. The Commission has made an analysis of the achievements of the Barcelona process and its contribution to dialogue, peace, stability and prosperity in this region, shared by the EU and some of its closest partners. They have also taken into account the shortcomings and difficulties in this process of multilateral co-operation which the EU has pursued since 1995. This Communication takes these factors into account and sets out the Commission's proposals for developing the "Barcelona process: Union for the Mediterranean".

4. The Commission has consulted with all partners involved in the European Union and the Mediterranean, in order to gain a clearer picture of their priorities and to see how best to channel a new political and practical impetus into the process.

### **Over a decade of Euro-Mediterranean cooperation**

5. The Mediterranean region is an area of vital strategic importance to the European Union in both political and economic terms. The Barcelona Process has been the central instrument for Euro-Mediterranean relations since 1995. Representing a partnership of 39 governments and over 700 million people, it has provided a framework for continued engagement and development.

6. The Barcelona Process is the only forum within which all Mediterranean partners exchange views and engage in constructive dialogue, and political dialogue is a regular item on the agenda of the Euro-Mediterranean ministers' and senior officials' meetings. It represents a strong commitment to regional stability and democracy through regional cooperation and integration, and aims to build on that consensus to pursue the path to political and socio-economic reform

and modernisation. However, the persistence of the conflict in the Middle East has challenged and stretched the Partnership to the limit of its abilities to preserve the channels of dialogue among all partners.

7. The partnership has also overseen efforts to strengthen democracy and political pluralism by the expansion of participation in political life and continues to promote the embracing of all human rights and freedoms. However, the aim of advancing and reforms and engaging more decisively in the process of strengthening governance and participatory democracy, has been tempered by global and regional events.

8. A very positive feature of the last decade has been the way in which dialogues with different political and economic agents -civil society, including women's organisations and the media – have become more central to the process.

9. The various cooperation agreements and programmes in the field of education and training have contributed to capacity building in the countries concerned and represent a major tool to develop human capital and promote cultural and societal values in the region. The Anna Lindh Foundation for the Dialogue between cultures, as the unique institution financed by all partners, illustrates the common commitment to establish dialogue and promoting mutual understanding on cultural issues and recognises the essential role of intercultural dialogue to promote peaceful coexistence.

10. The EU remains the main partner of Mediterranean countries both in trade of goods and services. Significant progress has been made towards the establishment of a Euro-Mediterranean free-trade area by 2010. Progressive free trade with the EU has favoured exports and investment, but services, and to a lesser extent agriculture, accounting for two-thirds of the GDP, are only now being included in the Euro-Mediterranean Free Trade Area. Slow but steady advances have been made in South-South economic integration which remains below potential. There have been improvements in macro-economic stability, inflation down significantly over 10 years, while human development indicators show improvements in health conditions and overall life expectancy.

11. However, it is also true that further and faster reforms are needed if the EU's Mediterranean partners are to reap the potential benefits of globalisation and free trade with the EU and regional integration. Economic reforms, gradual free trade of industrial products with the EU, and improvements in economic governance, have not been enough to attract the domestic and foreign investment needed to boost standards of living in the region. Growth has been good but insufficient. Reforms have been encouraging but short of initial expectations. Free trade with the EU has favoured exports and investment. The combined effect of these shortcomings has been a slower than expected process. As a consequence of the insufficient growth and continued demographic expansion the prosperity gap between the EU and most Mediterranean countries has increased and there has been no real economic convergence. The formula of trade plus investment plus cooperation is as pertinent as it was in 1995. While there is more that the EU can do to promote trade, investment and co-operation in the region, the greatest need is for the countries of the region to take up these opportunities as part of their domestic economic policies.

12. In sum, the Partnership has witnessed a strong promotion of multilateral and bilateral relations, but now needs a qualitative and quantitative change, to spur investment and employment creation and optimise the use of human resources.

13. A number of shortcomings need to be addressed if the Partnership is to become the multilateral support to jointly agreed policies in political, security, economic, social, educational and cultural cooperation. There is a need to reassert in political terms the central importance of the Mediterranean on the political agenda of all participants. There is mutual concern about the perceived lack of co-ownership by Mediterranean partners. Another area to be addressed is the lack of institutional balance between the weight of the EU on one side, and the Mediterranean partners on the other. An additional deficit of the Barcelona Process has been its weak visibility and the perception by citizens that little is done to tackle their daily problems and their real needs. More engagement and new catalysts are now needed to transform the objectives of the Barcelona Declaration into tangible realities.

### **Scope and main objectives**

14. The challenge of a new initiative is to enhance multilateral relations, increase coownership of the process and make it more visible to citizens. Now is the time to inject further momentum into the Barcelona Process.

15. It should build on and reinforce the successful elements of the existing Barcelona Process. Thus the Barcelona Declaration, its goals and its cooperation areas remain valid and its "three chapters of cooperation" (Political Dialogue, Economic Cooperation and Free Trade, and Human, Social and Cultural Dialogue) will continue to constitute the backbone of Euro-Mediterranean relations. The 5-year work programme adopted by the 2005 Barcelona Summit (including the fourth chapter of cooperation on "Migration, Social Integration, Justice and Security" introduced at that stage), the 2008 annual work programme adopted by Foreign Affairs Ministers in Lisbon in November 2007 and the conclusions of the sector ministerial meetings will remain in force.

16. Following the views expressed by most EU Member States and Mediterranean Partners, the Commission considers that the current structures of the Barcelona Process, and in particular the Euro-Mediterranean Senior officials meetings, the Euro-Mediterranean Committee meetings and the experts' meetings should be preserved and reinforced where possible. Political and economic dialogues are a major feature of the multilateral dimension of Euro-Mediterranean relations and should continue to operate.

17. The "Barcelona Process: Union for the Mediterranean" will be a multilateral partnership. By focusing on regional and trans-national projects it should increase the potential for regional integration and cohesion. It will encompass all EU Member States and the European Commission, together with the other members and observers of the Barcelona Process (Mauritania, Morocco, Algeria, Tunisia, Libya, Egypt, Jordan, Palestinian Authority, Israel, Lebanon, Syria, Turkey and Albania), and the other Mediterranean coastal states (Croatia, Bosnia and Herzegovina, Montenegro and Monaco).

18. It will be complementary to EU bilateral relations with these countries which will continue under existing policy frameworks such as the European Neighbourhood Policy, and, in the case of Mauritania, the African, Caribbean, Pacific framework. It

will also be complementary to the regional dimension of the EU enlargement policy, which includes the accession negotiations and the pre-accession process. It will also be coherent and complementary with the EU- Africa Strategy.

19. This new initiative will give a new impulse to the Barcelona Process in at least three very important ways:

- by upgrading the political level of the EU's relationship with its Mediterranean partners;
- by providing more co-ownership to our multilateral relations; and
- by making these relations more concrete and visible through additional regional and sub-regional projects, relevant for the citizens of the region. All dimensions of the process will be open to all participants on an equal footing.

### **Upgrading of relations**

20. A clear signal of the intention to upgrade the relationship will be the proposed decision to hold biennial summits of Heads of Government. The first Summit, due to take place in Paris on 13 July 2008 under the incoming French Presidency, should take the formal decision to launch “Barcelona Process: Union for the Mediterranean”, and establish its structure, functioning and main goals. The conclusions of the summit should also include a political declaration, and possibly a short list of concrete regional projects to be set in motion. The conclusions should be adopted by consensus.

21. Subsequent summits will follow this format by adopting a political declaration, endorsing a broad two-year work programme for the “Barcelona Process: Union for the Mediterranean” and agreeing on a number of concrete regional projects. Foreign Affairs Ministerial meetings will also take place between summits to review progress in the implementation of the summit conclusions and prepare the next summit meetings.

22. In principle the summit meetings should take place alternately in the EU and in Mediterranean partner countries. Countries hosting summit or ministerial meetings of the “Barcelona Process: Union for the Mediterranean” should invite all countries which are parties to the initiative.

23. The Euro-Mediterranean Parliamentary Assembly (EMPA) has reaffirmed itself as the Parliamentary dimension of the Barcelona Process providing a framework of debate, open dialogue and free exchange of views. It gives impetus to the Partnership by adopting resolutions and recommendations. The role of the Euro-Mediterranean Assembly will be the legitimate parliamentary representation of a Union for the Mediterranean. The Commission strongly supports the strengthening of the role of the EMPA in relations with Mediterranean partners

### **Increased co-ownership**

24. During the consultations and contacts held by the Commission it has become clear that all countries agree on the need to build a stronger partnership that should come through greater co-ownership of the different processes. Two proposals have received overall support from partners: the establishment of a co-presidency and the setting-up of a joint secretariat.

## **Co-Presidency**

25. Establishing a co-presidency will increase and improve the balance and the joint ownership of our cooperation. They will be the co-presidents of the Partnership as a whole. One of the co-presidents will be from the EU, and the other from the Mediterranean partner countries.

26. The establishment of a co-presidency from the EU side must be compatible with the provisions on the external representation of the European Union in the Treaty of the European Union and the Treaty establishing the European Community. For the first Summit, the rotating EU Presidency will hold the Presidency from the EU side. From the entry into force of the Lisbon Treaty, the Presidency on the EU side will correspond to the President of the European Council and the President of the Commission (at the level of Heads of State and Government), and the High Representative / Vice President of the Commission, at the level of Ministers of Foreign Affairs.

27. Given the complex regional environment, the selection of the co-president from the Mediterranean partner countries will require consensus. The co-presidency from the Mediterranean side should be chosen for a period of two years. The country assuming the co-presidency on the Mediterranean Partner side may host the summit of the “Barcelona Process: Union for the Mediterranean”.

## **Institutional governance and Secretariat**

28. Another key instrument for enhancing co-ownership and promoting a more balanced partnership will be an improved system of institutional governance and the creation of a new secretariat. In order to make the “Barcelona Process: Union for the Mediterranean” more visible and relevant, it should have a strong project focus.

29. Improved institutional governance: A reinforced and more balanced and enhanced governance will be attained by setting-up a committee of specifically appointed representatives from all Member States, Mediterranean Partners and the Commission. They will constitute a Brussels based committee to be called “Joint Permanent Committee” composed of permanent representatives from the respective missions in Brussels.

30. The Joint Permanent Committee:

- would be steered by the representatives of the co-presidencies;
- would prepare the meetings of the Senior Officials and Euro-Mediterranean Committee meetings and ensure the appropriate follow up;
- would assist the co-presidencies in the preparation of the Summits and Foreign Affairs and thematic Ministerial meetings;
- may act as well as a mechanism to react rapidly if a crisis situation arises in the region that requires the consultation of Euro-Mediterranean partners;
- membership and co-presidencies of the Permanent Committee will be the same as the Senior Officials / Euro-Mediterranean Committee meetings;
- the setting-up of a Permanent Euro-Mediterranean Committee that would meet regularly could lead to less frequent Senior Officials / Euro-Mediterranean Committee meetings.

31. The Secretariat: In the light of the different views expressed, the Commission has concluded that the Secretariat of the “Barcelona process: Union for the Mediterranean” should be asked to perform the role of making proposals for joint initiatives to be decided by the political bodies and to ensure the necessary follow-up of project-related decisions taken by the Heads of State and Government.

32. The Secretariat could have a separate legal personality with an autonomous status. Detailed modalities will be submitted for approval by the Euro Mediterranean Foreign Affairs Ministers in November 2008.

– Tasks: The Secretariat should gather project initiatives (from various sources such as sector ministerial meetings, national or regional authorities, regional groupings, private sector, civil society), examine them, and suggest projects to the Euro-Mediterranean Committee that will act as a clearing house. Once the projects are accepted by the Euro-Mediterranean Committee they will be submitted for approval, through the Foreign Affairs Ministers conferences, to the Summit. If endorsed, the Summit will instruct the Secretariat to give the necessary follow-up in terms of initiating the promotion of the projects, and the search for partners for their implementation. The funding and implementation of projects will be pursued on a case-by-case basis by the various interested partners and according to their own procedures. The secretariat will report to the Euromed Committee.

– Composition: The Secretariat will be composed of officials seconded from participants in the Process. The objective is to achieve a sufficiently higher level of involvement of Mediterranean partners to increase co-ownership and participation. There will be one General Secretary from one side and a Deputy Secretary General from the other side to be selected by consensus. The Secretary General will appoint the staff of the Secretariat on the basis of competence and geographical balance. The organisation of the secretariat and the composition of the staff will be approved by the Euro-Mediterranean Committee.

– Funding: The seconded officials will be funded by their respective administrations. The running costs of the Secretariat (support staff, equipment etc) will be funded on an equal basis by the EU and the Mediterranean partners.

– The headquarters will be decided by consensus. The host country will provide the premises for the Secretariat free of charge.

## **Projects**

33. The project dimension should be at the heart of the “Barcelona Process: Union for the Mediterranean”. The programmes developed under this initiative should have a strong potential to promote regional cohesion and economic integration, and to develop infrastructural interconnections. They should constitute visible and relevant projects for the citizens of the region.

34. The selection process will take into account:

- the regional, sub-regional and trans-national character of proposed projects, including the possibility of cooperation among a limited number of countries;
- their size, relevance and interest for all Partners;
- their potential to promote balanced and sustainable development, regional integration, cohesion and interconnections;

- their financial feasibility including the maximisation of private sector financing and participation; and
- their maturity or degree of preparedness to be rapidly launched.

35. A number of project proposals adapted to the needs of the region and meeting the criteria outlined above should be ready to be examined at the Summit planned to take place on 13 July. The Commission has identified 4 such projects that it considers to be highly relevant to promote growth, employment, increased regional cohesion and sustainability for the Mediterranean. These projects are attached in Annex I to the present Communication and submitted to the consideration of partners.

36. The priorities set out in the Regional Indicative Programme will continue to apply and any potential EC contribution to the new regional projects in Annex I will not be financed at the expense of the existing bilateral allocations under the European Neighbourhood and Partnership Instrument or the Pre-accession Instrument (or in the case of Mauritania the European Development Fund).

## **Funding**

37. The EU and its Member States already provide significant funding in the Mediterranean region (see Annex II for details). To bring added value to existing arrangements, the “Barcelona Process: Union for the Mediterranean” should be designed to mobilise additional funding for the region, mainly through regional projects. Its added value will very much depend on its capacity to attract more financial resources for regional projects.

38. While there can be no prior earmarking of EU funds, certain projects which fit with the objectives of EU regional programmes can be considered for funding. Insofar as funding from the EU budget is concerned, the normal selection and procedural rules will continue to apply.

39. The Commission believes that additional funding for regional projects and activities should come mainly from the following sources:

- Private sector participation;
- Bilateral cooperation from EU MS;
- Contributions from Mediterranean partners;
- International financial institutions, regional banks and other bilateral funds;
- the Euro-Mediterranean Investment and Partnership Facility (FEMIP) was created in 2002 as a tool to foster private sector development in the Mediterranean region to facilitate a higher economic growth. FEMIP combined EIB loans with EU-budget resources to provide technical assistance, risk capital and interest rate subsidies. The Facility was reinforced in 2005, after a review.
- The ENPI (aprox. € 50 million per year already programmed for the period 2007-2010), the Neighbourhood Investment Facility and the cross-border cooperation instrument within the ENPI, as well as the other instruments applicable to the countries covered by the initiative.

## **Conclusions and next steps**

40. The Commission invites the European Council at its meeting in June 2008 to discuss and endorse the proposals contained in this Communication. They can then become the agreed position of the EU to be put to the inaugural meeting of the “Barcelona Process: Union for the Mediterranean” planned for 13 July 2008 in Paris. The Commission will fully involve the European Parliament and the EMPA in the ongoing discussions on this new initiative.